IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 9476 of 2004(C)

PETITIONER:

A.SARASAMMA, ALAMPPALLIL, PAYIPPAD PO.,
HARIPPAD (VIA), ALAPPUZHA DISTRICT. (SECRETARY,
(RETIRED) VEEYAPURAM GRAM PANCHAYATH)

BY ADV. SRI.R.SANTHOSH BABU
SRI.SHYAM.T.MATHEW

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPARTMENT OF LOCAL ADMINISTRATION,
SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF PANCHAYAT, OFFICE OF THE
PANCHAYAT DEPARTMENT, THIRUVANANTHAPURAM

3. DEPUTY DRECTOR OF PANCHAYATS,
ALAPPUZHA.

4. DIRECTOR OF LOCAL FUND AUDIT,
OFFICE OF THE DIRECTOR OF LOCAL FUND AUDIT,
THIRUVANANTHAPURAM.

5. SECRETARY, MUTTAR GRAMA PANCHAYATH,
MUTTAR, ALAPPUZHA DISTRICT

BY GOVERNMENT PLEADER SMT.K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:	COPY OF SUR CHARGE NOTICE ISSUED BY JOINT DIRCTOR OF LOCAL FUNDS AUDIT DATED 4.8.2003.
EXT.P2:	COPY OF OBJECTION/ EXPLANATION SUBMITTED BY PETITIONER TO THE 4TH RESPONDENT.
EXT.P3:	COPY OF AUDIT REPORT BY 4TH RESPONDENT.
EXT.P4:	COPY OF SUR CHARGE CERTIFICATE ISSUED BY 4TH RESPONDENT DATED 11.2.04.

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BKN // TRUE COPY//

P.A . TO JUDGE

KURIAN JOSEPH J.

W.P.(C) No.9476 of 2004

Dated 7th June, 2007.

J U D G M E N T

Petitioner is aggrieved by the surcharge notice issued to him as per Ext.P1 dated 4.8.2003. The petitioner had in fact retired as early as on 31.8.2000. It is seen from Ext.P1 that the notice is actually signed on 1.9.2003 and communicated to the petitioner only far later. Since the proceedings are taken beyond the permitted period of three years, the impugned proceedings are quashed.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 7th June, 2007.